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Motionless Keyboard Company*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FLIR SYSTEMS, INC., an Oregon corporation

Plaintiff,

v.

THOMAS L. GAMBARO, an individual;
MOTIONLESS KEYBOARD COMPANY,
an Oregon corporation,

Defendants.

Case No. CV 10-0231-BR

**MOTIONLESS KEYBOARD
COMPANY'S MOTION TO DISMISS,
OR, IN THE ALTERNATIVE, FOR
SUMMARY JUDGMENT**

Pursuant to Rule 12, or in the alternative, Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56-1, defendant Motionless Keyboard Company (MKC) hereby moves to dismiss, or, in the alternative, for summary judgment. This motion is supported by the accompanying Memorandum in Support, Concise Statement of Material Facts, Declaration of James L. Buchal, and the Declaration of Thomas L. Gambaro.

DATED: September 17, 2010.

MURPHY & BUCHAL LLP

s/ James L. Buchal
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CERTIFICATE OF SERVICE

I certify that on September 17, 2010, the foregoing Motionless Keyboard Company's Motion to Dismiss, or, in the Alternative, for Summary Judgment will be electronically filed with the Court's electronic court filing system, which will generate automatic service upon all parties enrolled to receive such notice. The following will be manually served by first class U.S. mail:

Thomas L. Gambaro
P.O. Box 14741
Portland, OR 97293

s/ Carole A. Caldwell